

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

JONATHAN A. WHEELER,)	
)	
Plaintiff,)	
)	No. 2:22-cv-02333-TLP-cgc
v.)	
)	
METROPOLITAL LIFE INSURANCE)	
COMPANY and AIR LIQUIDE USA, LLC)	
LONG TERM DISABILITY PLAN,)	
)	
Defendants.)	

**ORDER DISMISSING DEFENDANT AIR LIQUIDE USA, LLC
LONG TERM DISABILITY PLAN ONLY**

This matter came before the Court on the Joint Motion to Dismiss Defendant Air Liquide USA, LLC Long Term Disability Plan submitted by Plaintiff Jonathan A. Wheeler and Defendant Metropolitan Life Insurance Company. (ECF No. 15.) The Court, having reviewed the Motion, finds that Defendant Air Liquide USA, LLC Long Term Disability Plan will not suffer plain legal prejudice by being dismissed with prejudice. The Court will therefore dismiss Defendant Air Liquide USA, LLC Long Term Disability Plan with prejudice under Fed. R. Civ. P. 21. Therefore, the Court **ORDERS**:

- (1) The Joint Motion to Dismiss Defendant Air Liquide USA, LLC Long Term Disability Plan is hereby **GRANTED**; and
- (2) Defendant Air Liquide USA, LLC Long Term Disability Plan is hereby **DISMISSED WITH PREJUDICE**.

SO ORDERED, this 28th day of September, 2022.

s/Thomas L. Parker
THOMAS L. PARKER
UNITED STATES DISTRICT JUDGE